

**Court of Appeals, State of Michigan**

**ORDER**

In re Brittany Ray Rich Minor

Docket No. 258839

LC No. 04-049227-AY

David H. Sawyer  
Presiding Judge

Jane E. Markey

Michael R. Smolenski  
Judges

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The Court orders that the motion to withdraw is DENIED for the reason that the appeal is not wholly frivolous.

Counsel for respondent-appellant shall within 21 days from the Clerk's certification of this order file an appellant's brief which addresses, at a minimum, the following issues:

- I. Did the trial court abuse its discretion under *In re Sanchez*, 422 Mich 758; 375 NW2d 353 (1985), when it denied respondent's request for appointed counsel?
- II. Did the trial court clearly err when it found that the ground for termination set forth in MCL 710.51(6)(b) was established by clear and convincing evidence in light of *In re ALZ*, 247 Mich App 264; 636 NW2d 284 (2001), where there was evidence on the record that the noncustodial parent interfered with respondent's ability to contact and communicate with the child?



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**FEB 25 2005**  
Date

*Sandra Schultz Mengel*  
Chief Clerk